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10

11 **UNITED STATES BANKRUPTCY COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA, SANTA ANA DIVISION**

13

14 In re

15 THE LITIGATION PRACTICE GROUP,
16 P.C.,

Debtor.

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Case No. 8:23-bk-10571-SC

Chapter 11

**SUPPLEMENTAL DECLARATION OF
JASON J. REBHUN IN SUPPORT OF
MOTION OF TRUSTEE RICHARD A.
MARSHACK FOR ENTRY OF AN
ORDER (A) APPROVING SALE OF
ASSETS FREE AND CLEAR OF ALL
LIENS, CLAIMS, ENCUMBRANCES AND
INTERESTS PURSUANT TO 11 U.S.C. §
363(b) AND (B) APPROVING
ASSUMPTION AND ASSIGNMENT OF
CERTAIN EXECUTORY CONTRACTS
AND UNEXPIRED LEASES AND OTHER
AGREEMENTS**

DATE: July 21, 2023
TIME: 10:00 a.m.
PLACE: Courtroom "5C"

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I, Jason J. Rebhun, declare and state:

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1. I am an attorney duly admitted to practice law in the courts of the
states of New York and New Jersey. I am also admitted to practice law in the United

1 States District Courts for the Southern District of New York, Eastern District of New York,
2 Northern District of New York, District of New Jersey, and the Second Circuit Court of
3 Appeals. I am also in good standing in those courts.

4 2. I make this supplemental declaration in support of the *Trustee's*
5 *Emergency Motion for Motion of Trustee Richard A. Marshack for Entry of an Order (A)*
6 *Approving Sale of Assets Free and Clear of All Liens, Claims, Encumbrances and*
7 *Interests Pursuant to 11 U.S.C. § 363(b) and (B) Approving Assumption and Assignment*
8 *of Certain Executory Contracts and Unexpired Leases and Other Agreements* (the
9 "Motion"), filed by Richard A. Marshack (the "Trustee"), the duly appointed, qualified, and
10 acting chapter 11 trustee for the estate of the debtor The Litigation Practice Group, P.C.
11 (the "Debtor").

12 3. As part of the proposed purchase of Debtor's assets, CLG has
13 agreed to the proposed Modified "legal services agreement" (the "LSA"), which is
14 attached hereto as **Exhibit 1**.

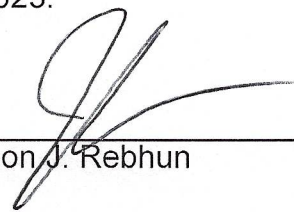
15 4. In addition to the provisions set forth in the foregoing LSA, CLG has
16 a no hassle refund policy, wherein CLG will likely refund all moneys paid by a client, in
17 the event any client who has a valid complaint and wishes to terminate CLG's
18 employment for services provided under the LSA prior to the completion or fulfillment of
19 the services sought. CLG has not and does not receive many complaints or requests for
20 refunds as the services CLG provides achieve beneficial results clients appreciate, and
21 often times express their appreciation. Notwithstanding, anyone unsatisfied with the
22 services being provided, prior to completion or CLG's fulfillment of the services sought
23 and/or provided for in the LSA can receive a prompt refund without the fear, frustration or
24 hassle generally associated with cancelling and requesting a refund.

25 5. Prior to Debtor filing its petition for protection under Chapter 11 of the
26 Bankruptcy Code, CLG acquired approximately 12,554 active client files from LPG, which
27 is the subject of the Trustee' Motion for Order Approving Stipulation Between The Debtor;
28 Consumer Legal Group, PC; LGS Holdco, LLC; and Set Forth, Inc. F/K/A DebtPayPro

1 [Dkt No. 178]. CLG has achieved numerous favorable settlements (often with its clients
2 paying a nominal amount each month towards a settlement payment plan) on behalf of its
3 clients including those clients procured from LPG. CLG has also secured dismissal of
4 suits, sometimes on terms that the client pay a nominal settlement payment in
5 consideration that the creditor does not refile either in arbitration (citing to an arbitration
6 provision in the parties' contract) or in a different forum, or in lieu of the creditor refileing
7 and effectuating proper service of the underlying pleading. Because of the recency with
8 which those files made their way to CLG, CLG does not yet maintain specific data
9 concerning numbers of settlements or dismissals it achieved on a global basis from which
10 it can run a master report. It is working to implement this capability. That said, the
11 settlements and legal outcomes achieved are monitored on an individual file basis.

12
13 I declare under penalty of perjury under the laws of the United States of
14 America that the foregoing is true and correct.

15 Executed this 14 day of July 2023.

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17
18 
Jason J. Rebhun

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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 655 W. Broadway, Suite 800, San Diego, California 92101

A true and correct copy of the foregoing document entitled (*specify*):

SUPPLEMENTAL DECLARATION OF JASON J. REBHUN IN SUPPORT OF MOTION OF TRUSTEE RICHARD A. MARSHACK FOR ENTRY OF AN ORDER (A) APPROVING SALE OF ASSETS FREE AND CLEAR OF ALL LIENS, CLAIMS, ENCUMBRANCES AND INTERESTS PURSUANT TO 11 U.S.C. § 363(b) AND (B) APPROVING ASSIGNMENT AND ASSUMPTION OF CERTAIN EXECUTORY CONTRACTS AND UNEXPIRED LEASES AND OTHER AGREEMENTS

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On July 17, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**:

On July 17, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on July 17, 2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

JUDGE'S COPY

The Honorable Scott C. Clarkson
United States Bankruptcy Court
Central District of California
Ronald Reagan Federal Building and Courthouse
411 West Fourth Street, Suite 5130 / Courtroom 5C
Santa Ana, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

July 17, 2023
Date

Caron Burke
Printed Name

/s/ Caron Burke
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

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